

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Centerville School District
Accountability Review - Monitoring Report 2010-2011

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Dates of On Site Visit: February 7, 2011

Date of Report: May 11, 2011

3 month update due: Date Received:

6 month update due: Date Received:

9 month update due: Date Received:

Closed: April 20, 2011

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

1. GENERAL SUPERVISION

(Statement of non-compliance from report of February 1, 2005.)

ARSD 24:05:17:03.1 Annual report of children served

In its annual report of children served, the district shall indicate the number of children with disabilities receiving special education and related services on December 1st of that school year.

The district does not have documentation to verify that services were being provided to one student listed on the district's 2003 child count. Interviews also confirmed there was not an IEP in effect on December 1st of 2003 for this student. The Department of Education will withhold from the district the Individual with Disability Education Act (IDEA) federal funds for the misclassified student.

Out of compliance

Issues requiring immediate attention

ARSD24:05:25:06 Reevaluations.

Reevaluation shall be conducted at least every three years or if conditions warrant if the child's parents or teacher requests an evaluation. Reevaluations must be completed within 25 school days after the receipt by the district of signed consent to reevaluate unless other time limits are agreed to by the school administration and the parents. Each school district shall follow the procedures under ARSD 24:05:25:04.02 when reevaluating a student for the additional purposes of: (1) determining whether the child continues to have a disability; (2) determining whether the child continues to need special education and related services; and (3) determining whether any additions or modification to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individual education program and to participate, as appropriate, in the general curriculum.

Through file reviews and interviews, the review team found that reevaluations were not completed for two students.

ARSD 24:05:22:03. Certified child

ARSD 24:05:24:01:14. Other health impaired defined

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disability condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count.

Other health impaired means having limited strength, vitality, or alertness because of a chronic or acute health problem, such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes that adversely affects a student's educational performance. Adverse effects in educational performance must be verified through the multidisciplinary evaluation process as defined in ARSD24:05:13:01(12).

A student file review completed by the review team indicated that a reevaluation was completed in the January 2004. The disabling condition reported on the child count was not substantiated by documentation within the file.

ARSD 24:05:25:04.7-8 Evaluation procedures

The district is required to ensure, at a minimum, that evaluation procedures include the following: a child is assessed in all areas related to the suspected disability, including as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

In five of the twelve files reviewed, documentation did not support students were assessed in all areas related to the suspected disability.

ARSD 24:05:30:04. Prior notice and parent consent

Informed parental consent must be obtained before conducting a first-time evaluation, reevaluation, and before initial placement of a child in a program providing special education or special education and related services.

Consent was not obtained for evaluations administered to students in four files reviewed. For example, an adaptive behavior evaluation was administered but was not included on the prior notice/consent signed by the parent and a transition evaluation was administered without prior notice/consent from the parents

Follow-up: February 7, 2011

Findings: No Findings